

Notice is hereby given under the Native American Graves Protection and Repatriation Act, 43 CFR 10.10 (a)(3), of the intent to repatriate cultural items in the possession of the Wyoming State Museum, Cheyenne, WY which meet the definition of "sacred objects" under Section 2 of the Act.

The cultural items are two arrows with steel points and fletched with feathers; a wooden bow with pink ribbons attached at knocks, front stained blue and belly stained red; and a pipestem.

In 1919, John Hunton of Fort Laramie, WY donated these cultural items to the Wyoming State Museum. Donor information accompanying these cultural items indicates that on December 29, 1890, they were picked up on the Wounded Knee Massacre site by a U.S. Army scout Baptiste "Little Bat" Garnier, who later gave them to John Hunton.

The donor information accompanying these cultural items clearly indicates that they were removed without permission of the owners or relatives following the massacre. Consultation evidence provided by representatives of the Cheyenne River Sioux Tribe states that "mourning [associated with Wounded Knee]... cannot end until all of the property stolen away from the dead... is returned... and all necessary spiritual ceremonies relating to the traditional burial rites of the Lakota have been performed and executed by Lakota spiritual leaders."

Officials of the Wyoming State Museum have determined that, pursuant to 43 CFR 10.2 (d)(3), these four cultural items are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Officials of the Wyoming State Museum have also determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity which can be reasonably traced between these items and the Cheyenne River Sioux Tribe, Oglala Sioux Tribe of the Pine Ridge Reservation, and Rosebud Sioux Tribe of the Rosebud Indian Reservation.

This notice has been sent to officials of the Cheyenne River Sioux Tribe, Oglala Sioux Tribe of the Pine Ridge Reservation, Rosebud Sioux Tribe of the Rosebud Indian Reservation, and Standing Rock Sioux Tribe of North and South Dakota. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these objects should contact Jennifer Alexander, Supervisor of Collections, Wyoming State Museum, 6101

Yellowstone Road, Cheyenne, WY 82002; telephone: (307) 777-5472 before September 27, 1999. Repatriation of these objects to the Cheyenne River Sioux Tribe, Oglala Sioux Tribe of the Pine Ridge Reservation, and Rosebud Sioux Tribe of the Rosebud Indian Reservation may begin after that date if no additional claimants come forward.

The National Park Service is not responsible for the determinations within or the content of this notice.

Dated: January 21, 1999.

**Francis P. McManamon,**  
*Departmental Consulting Archeologist,  
Manager, Archeology and Ethnography  
Program.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Reclamation

#### **Allocation of Water Supply and Expected Long-Term Contract Execution, Central Arizona Project, Arizona**

**AGENCY:** Bureau of Reclamation,  
Interior.

**ACTION:** Notice of intent and public  
scoping meetings.

**SUMMARY:** Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended, and the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of NEPA, the Bureau of Reclamation (Reclamation) proposes to prepare an environmental impact statement (EIS) concerning proposed modifications to previous Central Arizona Project (CAP) water allocation decisions. Reclamation is initiating public scoping for the proposed NEPA document and will be conducting scoping meetings pursuant to section 102(2)(C) of NEPA.

The Department anticipates it will reallocate and offer contracts for certain quantities of CAP water in connection with (1) settlement discussions arising out of operation of the CAP; (2) settlement discussions arising from legal claims involving the Gila River Indian Community (GRIC) and the San Carlos Apache Tribe (San Carlos); and (3) negotiations regarding implementation of the 1982 Southern Arizona Water Rights Settlement Act.

**DATES:** Three scoping meetings will be held to solicit comments on issues that should be addressed in the EIS:

September 14, 1999, from 1:00-3:30 p.m.

National YWCA Leadership  
Development Center, 9440 N. 25th  
Avenue, Phoenix, Arizona 85021-  
2789.

September 15, 1999 from 6:30-9:00 p.m.  
Francisco Grande Resort Ballroom,  
26000 Gila Bend Highway, Casa  
Grande, Arizona 85222.

September 16, 1999, from 1:00-3:30  
p.m.

Tucson Community Center, Maricopa-  
Mojave Room, 260 S. Church,  
Tucson, Arizona 85701.

At each meeting, Reclamation will make a short presentation. Oral comments from the audience will then be accepted. A court reporter will prepare a written record of all comments made.

Hearing impaired, visually impaired, and/or mobility impaired persons planning to attend the meeting(s) may arrange for necessary accommodations by calling Ms. Janice Kjesbo (602-216-3864; fax 602-216-4006) no later than August 30, 1999.

**ADDRESSES:** Send written comments concerning the proposal to Mr. Bruce Ellis, Environmental Program Manager, Phoenix Area Office, Bureau of Reclamation, P.O. Box 81169, Phoenix Arizona, 85069-1169. To be most helpful, comments should be received by September 27, 1999. Written comments received by Reclamation become part of the public record associated with this action. Accordingly, such comments (including name, address, or telephone information shown on written correspondence) will be available to requestors of information through the Freedom of Information Act.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning the process, the proposed action or alternatives, or this notice should be directed to Ms. Sandra Eto, Environmental Resource Management Division, Phoenix Area Office, Bureau of Reclamation, P.O. Box 81169, Phoenix, Arizona 850689-1169; telephone (602) 216-3857. To be placed on a mailing list for any subsequent information, please write or telephone Ms. Janice Kjesbo, Environmental Resource Management Division, Phoenix Area Office (see address above), telephone (602) 216-3854 or fax (602) 216-4006.

**SUPPLEMENTARY INFORMATION:** Reclamation proposes to modify existing allocations of CAP water under terms consistent with ongoing settlement discussions regarding operation of the CAP, the status of CAP water, and resolution of outstanding Indian water rights claims. In connection with preparation of the EIS,

Reclamation will analyze the environmental consequences of a proposed action that allocates and offers contracts for CAP water. This action is consistent with contemplated reallocation of CAP water that has emerged from extensive discussions among settlement parties.

Environmental analysis of the proposed reallocation does not preclude additional adjustments being made to the final reallocations, depending upon the course of negotiations.

In addition to the proposed action (i.e. reallocation of CAP water based upon current settlement negotiations), Reclamation intends to develop and evaluate alternative allocation scenarios as part of its NEPA analysis. These "action" alternatives will identify other reallocation and contracting scenarios the Secretary of the Interior (Secretary) could implement in the absence of settlement. Thus far, three alternative reallocation scenarios are being considered for inclusion in the EIS. These alternatives could be modified, and/or other alternatives developed based upon input received during the scoping period.

CAP water, estimated for these purposes to be 1,415,000 acre-feet<sup>1</sup> (AF) of primarily Colorado River water available for use within the Project service area, is divided into three basic categories. The majority of the water in each of these categories has been allocated and contracted; however, some in each category remains unallocated and/or uncontracted. The categories can be described as follows: Water previously allocated for use by municipal and industrial (M&I) entities (620,678 AF); water allocated for "Federal purposes" (453,224 AF, the great majority of which is under contract to Indian tribes);<sup>2</sup> and water previously allocated for use by non-Indian agricultural (NIA) districts, consisting of the CAP water supply that remains after water in the other two categories has been contracted (for the purposes of this notice, the amount of water in this NIA category is estimated to be 341,098 AF<sup>3</sup>). The following are

assumed to occur or pertain to the proposed action and all three action alternatives currently under consideration:

a. 17,800 AF of Indian priority water would be allocated and contracted to GRIC. This represents CAP water that was previously allocated and contracted to the Harquahala Valley Irrigation District (HVID) but relinquished in 1992 to the Secretary for use in the settlement of water rights claims of Indian tribes having claims to the water in the Salt and Verde River system (which is already included in the "Federal purposes" category);

b. an estimated 18,600 AF of NIA priority water would be allocated and contracted to GRIC, in accordance with the "Settlement Agreement Among the Gila River Indian Community, Roosevelt Water Conservation District, and the United States of America (May 10, 1999)." This represents CAP water previously allocated and contracted to the Roosevelt Water Conservation District but relinquished in 1992 to the Secretary to hold for the use and benefit of GRIC (which is already included in the "Federal purposes" category);

c. 17,000 AF of M&I category water previously allocated to ASARCO, Inc., that is anticipated to be voluntarily assigned to GRIC as part of a settlement of GRIC water rights claims;

d. the NIA category includes an estimated 43,654 AF that has been or is anticipated to be assigned to several cities within Maricopa County through agreements with the Hohokam Irrigation and Drainage District (HIDD); and

e. with the exception of the water previously allocated to HVID, all CAP water would retain its current priority (which determines the order of priority in reducing deliveries during times of shortages on the Colorado River).

**Proposed Action and Action Alternatives.** Following are descriptions of actions—in addition to those identified above—that are contemplated to occur under the proposed action and the three alternatives currently being considered:

#### A. Proposed Action

1. Water allocated for M&I use would total 603,678 AF (which represents 620,678 AF less 17,000 AF of ASARCO water described in "c" above). An

settlement parties disagree on the exact numbers associated with water in this category. These differences are due to the order of the calculations made and other assumptions used. Use of specific numbers in this notice is not meant to imply a degree of precision that does not exist, and it should be noted the various amounts of water attributed to the NIA category in this notice are estimates for purposes of describing alternative reallocation scenarios.

amount of 65,647 AF within this category, that is currently uncontracted, would be reallocated to M&I entities after consultation with the State of Arizona, Department of Water Resources (ADWR). CAP M&I water service subcontracts would be offered to these allottees.

2. Water allocated for NIA use would be reduced by an estimated 200,000 AF. This water would be reallocated for Federal purposes. Of the estimated 141,098 AF remaining in the NIA category, 97,444 AF would be reserved for use by non-Indian agricultural or M&I entities under a process to be developed. The remaining 43,654 AF represents the water associated with HIDD that has been or is anticipated to be assigned to several Maricopa County cities (see "d" above).

3. Water allocated for Federal purposes would be increased by an estimated 200,000 AF from reallocation of water from the NIA category described in A.2. above. This water would be contracted as follows: 102,000 AF to GRIC; 28,200 AF to the Tohono O'odham Nation; and 69,800 AF reserved by the Secretary for use in facilitating future Indian water rights settlements.

#### B. Alternative #1

1. Water in the M&I category would be handled the same as under the Proposed Action. The 65,647 AF that is currently uncontracted would be reallocated and contracted as described under the Proposed Action.

2. The amount of water in the NIA category would not change from present conditions (estimated for purposes of this action to be 341,098 AF); however, an estimated 112,578 AF of water in this category would be made available for use by non-Indian agricultural and/or M&I entities under a process to be developed. This amount is an estimate of that portion of water within the NIA category for which allocations were made in 1983, but for which no contracts were executed. No change in status would occur to the remaining estimated 228,520 AF in the NIA category.

3. An estimated amount of 1,518 AF of Indian priority water already held for Federal purposes (originally allocated to HVID) would be allocated and contracted to the Tonto Apache and Camp Verde Apache tribes.

#### C. Alternative #2

1. Water allocated for M&I use would be reduced by 65,647 AF, the amount within this category that is currently uncontracted. This water would be reallocated for Federal purposes (see

<sup>1</sup> The 1,415,000 acre-foot amount is an agreed to approximation of the number of acre-feet of Colorado River water available in a normal year for diversion and use by the CAP, after deducting estimated system losses.

<sup>2</sup> In a *Federal Register* notice (48 FR 12446, March 24, 1983), the Secretary allocated 638,823 AF of CAP water for M&I purposes, and 309,828 AF of CAP water to Indian tribes in central Arizona. Subsequent settlements of Indian water rights and reallocations of CAP water increased the total water for "Federal purposes" to 453,224 AF—18,145 AF of which came from the M&I category.

<sup>3</sup> The calculation of amounts of water with regard to the NIA category varies; analysts among the

C.3. below). The water remaining in this category would be 538,031 AF (which includes a reduction of 17,000 acre-feet of ASARCO water; see "c" above).

2. Water allocated for NIA use would be reduced by an estimated 28,665 AF. This estimate represents NIA water previously allocated to Queen Creek Irrigation District (ID), Chandler Heights Citrus ID, San Tan ID and Tonopah ID. In addition, as in Alternative #1, an estimated 112,578 AF of water would be made available for use by non-Indian agricultural and/or M&I entities under a process to be developed. No change in status would occur to the remaining estimated 199,855 AF in this category.

3. The amount of CAP water available for Federal purposes would be increased by an estimated 94,312 AF as a result of the reallocations described in C.1 and C.2 above. The 65,647 AF from the M&I category would be contracted as follows: 20,000 AF to GRIC; 28,200 AF to Tohono O'odham Nation; 3,947 AF to

San Carlos; and 13,500 AF to the Navajo and Hopi tribes. The estimated 28,665 AF from the NIA category would be contracted as follows: 9,000 AF to GRIC; and an additional 19,665 AF to San Carlos. In addition, as in Alternative #1, an estimated amount of 1,518 AF already held for Federal purposes would be allocated and contracted to the Tonto Apache and Camp Verde Apache tribes.

#### D. Alternative #3

1. Changes to amounts of water in the M&I category would be as described in Alternative #2.

2. Water allocated for NIA use would be reduced by an estimated 297,444 AF. An estimated 43,654 AF associated with HIDD would remain in this category (see "d" above).

3. The amount of water available for Federal uses would be increased by an estimated 272,091 AF as a result of the reallocations described in D.1 and D.2 above. The 65,647 AF from the M&I

category would be contracted as under Alternative #2 (20,000 AF to GRIC; 28,200 AF to Tohono O'odham Nation; 3,947 AF to San Carlos; and 13,500 AF to the Navajo and Hopi tribes). An estimated 206,444 AF reallocated from the NIA category would be distributed as follows: 82,000 AF would be contracted to GRIC, and 124,444 AF would be reserved by the Secretary for future Federal purposes. As in Alternatives #1 and #2, an estimated 1,518 AF would be allocated and contracted to the Tonto Apache and Camp Verde Apache tribes.

4. The remaining 91,000 AF of water reallocated from the NIA category described in D.2 above would be reserved by the Secretary for as yet to be determined non-Federal users.

Following is a table that summarizes the estimated total number of AF that would comprise each pool of CAP water, by alternative:

Cap water category	Current condition	Proposed action	Alternative #1	Alternative #2	Alternative #3
M&I category .....	620,678	603,678	603,678	538,031	538,031
NIA category .....	341,098	141,098	341,098	312,433	43,654
Held for "Federal purposes" .....	453,224	670,224	470,224	564,536	742,315
Held for "non-Federal purposes" .....					91,000
Total (in AF): .....	1,415,000	1,415,000 AF	1,415,000	1,415,000	1,415,000

In addition to the proposed action and the three action alternatives, Reclamation will also evaluate environmental consequences that are anticipated to occur in the absence of the proposed action (the no Federal action). By definition, the no Federal action alternative means that no water would be reallocated and no new contracts would be signed. Currently, uncontracted water from the previous CAP allocations, including 65,647 AF of M&I category water, and that portion of the NIA pool which has either been declined (about 112,578 AF) or considered to be relinquished (subject to Secretarial consent) from four non-Indian irrigation districts (about 28,665 AF), is delivered by the Central Arizona Water Conservation District to entities through two-party excess water agreements. The United States is challenging these agreements in ongoing litigation regarding operation of the CAP. For purposes of this analysis it is assumed that under the no Federal action scenario, this practice would continue pending resolution of the ongoing litigation.

Reclamation is circulating this notice in anticipation of considerable public interest and the need to ensure that all

relevant issues are evaluated in the EIS. Reclamation will consult other Federal, State, and local agencies with specific expertise regarding environmental impacts related to the project.

Dated: August 20, 1999.

**Robert Johnson,**

*Regional Director.*

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## DEPARTMENT OF JUSTICE

### Immigration and Naturalization Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request

**ACTION:** Notice of Information Collection Under Review: Monthly Report Naturalization Papers.

The Department of Justice, Immigration and Naturalization Service (INS) has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected

agencies. Comments are encouraged and will be accepted for "sixty-days" until October 25, 1999.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.